

September 21, 2017

Dear SLO County Planning Commissioners:

I'm writing to you on behalf of The Mesa Refinery Watch Group.

You now have even more evidence and precedence giving you the right to protect SLO County's citizens from the onslaught of Phillips 66's flammable crude oil trains.

- Valero Refining had asked the Surface Transportation Board to prevent the city of Benicia from denying the company's request to build a rail transfer station ... saying that federal regulations preempt cities from deciding on rail-related projects.

Instead, the STB denied Valero's request, pointing out that Valero is not a railroad company, so it could not claim federal pre-emption protection for its transfer station project.

- Benicia city council members were waiting for STB's ruling before deciding on the Valero issue. But immediately following that timely ruling, the council voted unanimously to reject Valero's plan to introduce crude oil trains to the town.

(Below are links to the STB's statement and a related article from the Sacramento Bee.)

So the STB and the Benicia City Council have successfully prepared the ground for SLO's Planning Commissioners. The decision-making dynamics have now changed. You, our commissioners, now have both federal and California foundations upon which to reject Phillips' crude-by-rail plan.

OF SPECIAL NOTE: Benicia's council members instructed their staff to write a list of findings to support their denial, and to base it on the health and safety concerns at the proposed rail terminal site, rather than mainline concerns.

In SLO County, the Planning Commission's staff has already recommended denial of the Phillips project and prepared a list of findings to support the denial - all based on issues at the refinery, not on the mainline. Therefore, the reasons for denial already exist. Please use the above STB and Benicia actions, as well as your staff's expert opinions, to reject this project.

Respectfully,
Martin Akel,
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Member of the Mesa Refinery Watch Group



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